

**UNITED STATES DEPARTMENT OF COMMERCE****United States Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

55

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/143,232 08/28/98 MONROE

D 067839.00700

EXAMINER

TM01/0605

BRACEWELL & PATTERSON
SOUTH TOWER PENNZOIL PLACE
711 LOUISIANA STREET
SUITE 2900
HOUSTON TX 77002-2781

CHIEU, P

ART UNIT

PAPER NUMBER

2615

DATE MAILED:

06/05/01

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

6

Office Action Summary

Application No.

09/143,232

Applicant(s)

MONROE ET AL.

Examiner

Polin Chieu

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 18) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: 68 in figure 3. Correction is required.

Specification

2. The disclosure is objected to because of the following informalities: on page 4, line 2 "1996l" should be changed to "1996".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5, and 6 rejected under 35 U.S.C. 103(a) as being unpatentable over Kozuki et al..

Kozuki et al discloses a recorder/player (306), a central processing unit for controlling the recording/playback systems (303), a video signal source for providing a video source (301), and a video signal transmission system (307-311) in figure 7. Kozuki et al also discloses a video signal switching system (305) responsive to commands from the central processor unit for selectively distributing the video signal to the recorder/player (306), the display monitor

(311) and the transmission system (311), wherein a full motion video signal may be distributed to the recorder/player (306) while a selected still frame of the video signal is distributed to other components (313) of the system (col. 2, lines 14-19). Kozuki et al does not disclose a video signal display monitor. However, Kozuki et al discloses a television signal from output 311 implying that the output can be connected to a video signal display monitor. It would have been highly desirable to have a video signal display monitor so that the images could be viewed. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have a video signal display monitor in Kozuki et al.

Regarding claim 2, Kozuki et al discloses a digital capture system for creating a still frame on the fly as the full motion video signal is generated by the video signal source (col. 1, line 65 to col. 2, line 13). Kozuki et al also discloses recording a full field still frame (col. 2, line 9).

Regarding claim 3, Kozuki et al discloses a means for capturing a selected group of sequential still frames on the fly as the full motion video signal is generated by the video signal source (col. 3, lines 10-20).

Regarding claim 5, Kozuki et al discloses an audio signal generator for generating an audio signal (col. 1, lines 1-65). It is well known in the art that an audio signal can be recorded by the recorder/player in real time synchronization with the full motion video signal. Further synchronizing audio and video is common practice in VTRs.

In claim 6 the data signal can be interpreted as an audio signal. Please refer to the art rejection of claim 5.

5. Claims 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kozuki et al in view of Cooper.

Kozuki et al discloses a second mode for transmitting full motion video signals as a playback of the recorded full motion video signal from the recorder/player (col. 7, line 39 to col. 8, line 4). However, Kozuki et al does not disclose a first mode. Cooper discloses transmitting full motion video in a first mode as the full motion video is generated by the video signal source (col. 5, lines 24-28). It would have been highly desirable to have a first mode so that the full motion video can be viewed as it occurs. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have a first mode in Kozuki et al.

Regarding claim 7, Kozuki et al does not disclose a GPS signal generator. Cooper discloses a GPS signal generator (col. 4, lines 1-32). It would have been highly desirable to have GPS signal generator so that a vehicle's GPS information could be recorded. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have a GPS signal generator in Kozuki et al.

6. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kozuki et al in view of Fujita et al.

Kozuki et al does not disclose a marking signal generator. Fujita et al discloses a marking signal generator (201) for selecting still frames of the recorded full motion video to be marked (col. 9, lines 60-65) in figure 1. Fujita et al also discloses that the system is adapted to select said frames by searching

for the marks in figure 12, for distribution of the recorded marked frames. It would have been highly desirable to have a marking signal generator so that a portion of full motion video can be quickly identified and distributed for editing purposes. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention have a marking signal generator in Kozuki et al.

Regarding claim 9, Kozuki et al does not disclose a marking signal generator with two modes. Fujita et al discloses a first mode being manually activated by an operator (col. 3, lines 25-30), and a second mode being activated by a preselected data signal (col. 3, lines 30-40). It would have been highly desirable to have two modes so that the user could select marking points or the device would automatically select marking points. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have two modes for the marking signal generator in Kozuki et al.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kozuki et al in view of Freeman.

Kozuki et al does not disclose that the central processing unit is a Pentium class processor. Freeman discloses a video transmission device using a PC (col. 2, lines 60-65). It is well known in the art that PCs often use Pentium class processors. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have a Pentium class processor in Kozuki et al.

Conclusion

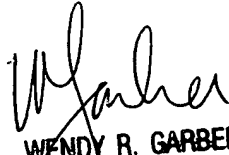
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ueda, Arena, and Dunton et al discloses video recording in which a still frame may be created. Tachi discloses synchronizing an audio and video signal. Yamamoto and Nagasaka et al disclose a marking generator.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Polin Chieu whose telephone number is (703) 308-6070. The examiner can normally be reached on M-F 8:30 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on (703) 305-4929. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

PC
June 4, 2001


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600